

IAP10 Rec'd PCT/PTO 06 DEC 2005

Attorney Docket: 27072U

MAIL STOP PCT

U.S. Department Of Commerce, Patent And Trademark Office		Date: December 6, 2005
Transmittal Letter To The United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371		U.S. Application No.: (if known); Not Yet Assigned <b>107599383</b>
International Application No.: PCT/EP2004/051067	International Filing Date: 9 June 2004 (09.06.2004)	Priority Date Claimed: 13 June 2003 (13.06.2003) EP
Title of Invention: FORMOTEROL AND CICLESONIDE COMBINATION		
Applicants for DO/EO/US: DIETZEL, Klaus; MUELLER, Helgert		
<p>Applicant hereby submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 USC 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)):  a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 5. <input type="checkbox"/> A English translation of the International Application as filed (35 U.S.C. 371(c)(2)). 6. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 7. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 8. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 9. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>ITEMS 10 to 19 BELOW CONCERN OTHER DOCUMENT(S) OR INFORMATION INCLUDED:</b></p> <p>10. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 11. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 12. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment. 13. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment 14. <input type="checkbox"/> A substitute specification. 15. <input type="checkbox"/> A change of power of attorney and/or address letter. 16. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter2 and 35 USC 1821 - 1825 17. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4) 18. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 19. <input checked="" type="checkbox"/> Other items or information: TRANSMITTAL LETTER; APPLICATION DATA SHEET; INTERNATIONAL PUBLICATION NUMBER: WO 2004/110460 A1, WITH PCT/ISA/210 (INTERNATIONAL SEARCH REPORT); INTERNATIONAL PUBLICATION DATE: 23 DECEMBER 2004 (23.12.2004), WHICH CONSISTS OF 14 PAGES: 1 PAGE FOR THE COVER SHEET, 11 PAGES OF TEXTUAL SPECIFICATION, 2 PAGES OF 11 CLAIMS, 0 SHEETS OF DRAWINGS; PRELIMINARY AMENDMENT WITH APPENDICES A AND B TO BE EXAMINED; EXECUTED DECLARATION AND POWER OF ATTORNEY; PCT/IB/332 (INFORMATION CONCERNING ELECTED OFFICES NOTIFIED OF THEIR ELECTION); PCT/IB/304 (NOTIFICATION CONCERNING SUBMISSION OR TRANSMITTAL OF PRIORITY DOCUMENT); PCT/RO/101 (PCT REQUEST); POSTCARD FOR EARLY NOTIFICATION OF THE SERIAL NUMBER REQUEST.</p>		

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U.S. Application Number: <b>10/759,938</b> (If known, Not Yet Assigned)	International Application Number: PCT/EP2004/051067	Date: December 6, 2005																												
<p>The following fees are submitted:</p> <table> <tr> <td>21. Basic National Fee .....</td> <td>\$ 300.00</td> <td>CALCULATIONS</td> <td>PTO USE ONLY</td> </tr> <tr> <td>22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) .....</td> <td>\$ 100.00</td> <td></td> <td></td> </tr> <tr> <td>All other situations .....</td> <td>\$ 200.00</td> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office .....</td> <td>\$ 400.00</td> <td></td> <td></td> </tr> <tr> <td>All other situations .....</td> <td>\$ 500.00</td> <td></td> <td></td> </tr> <tr> <td><u>X</u> Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.</td> <td></td> <td></td> <td></td> </tr> <tr> <td colspan="2"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></td> <td>\$ 900.00</td> <td></td> </tr> </table>			21. Basic National Fee .....	\$ 300.00	CALCULATIONS	PTO USE ONLY	22. Examination Fee If International Preliminary Examination Report prepared by USPTO and all claims satisfy Provisions of PCT Article 33(1)-(4) .....	\$ 100.00			All other situations .....	\$ 200.00	\$ 200.00		23. Search Fee (37 CFR 1.445(a)(2) has been paid on the International Application to the USPTO as an International Searching Authority ... \$ 100.00 International Search Report prepared and provided to the Office .....	\$ 400.00			All other situations .....	\$ 500.00			<u>X</u> Additional fee for specification and drawings filed in paper over 100 sheets (excluding Sequence listing or computer program listing filed in an electronic medium). The fee is \$ 250.00 for each additional 50 sheets of paper or fraction thereof.				<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$ 900.00	
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<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$ 900.00																												
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>      20      </u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00																												
CLAIMS	NUMBER: FILED	NUMBER: EXTRA	RATE																											
TOTAL	11-20=	0	X \$ 50.00																											
INDEPENDENT	1-3=	0	X \$ 200.00																											
Multiple dependent claims(s) (if applicable)		+ \$360.00	\$ 0.00																											
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$ 900.00																												
Reduction by 2 for asserting small entity, if applicable. (Note 37 CFR 1.9, 1.27, 1.28).		\$ 0.00																												
		<b>SUBTOTAL =</b>	\$ 900.00																											
Processing fee of \$130.00 for furnishing the English translation later than <u>      20      </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +		\$ 0.00																												
		<b>TOTAL NATIONAL FEE =</b>	\$ 900.00																											
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31).      \$40.00 per property +		\$ 0.00																												
		<b>TOTAL FEES ENCLOSED =</b>	\$ 900.00																											
		Amount to be: refunded	\$																											
		charged	\$																											

MP16 Rec'd PCT/PFO 06 DEC 2005

Attorney Docket: 27072U

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U.S. Application Number:  
(if known): Not Yet Assigned

International Application  
Number: PCT/EP2004/051067

Date: December 6, 2005

**107559383**

- a.  One check in the amount of \$ 900.00 to cover the above fees is enclosed.
- b.  Please charge my Deposit Account Number: 14-0112 in the amount of \$ \_\_\_\_\_ to cover the above fees. (A duplicate copy of this sheet is enclosed.)
- c.  The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account Number: 14-0112.
- d.  Fees are to be charged to a credit card \_\_\_\_\_. WARNING: Information on this form may become public \_\_\_\_\_. Credit Card Information should not be included on this form.  
 Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed to request that the application be restored to pending status.

Send All Correspondence To:

Gary M. Nath  
**NATH & ASSOCIATES PLLC**  
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80/1559383

AP16 Rec'd USPTO 06 DEC 2005

MAIL STOP PCT  
Attorney Docket: 27072U  
Date: December 6, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
DIETZEL, et al.

Serial No.: Not Yet Assigned  
Filed: December 6, 2005  
International Appl. No.: PCT/EP2004/051067  
International Filing Date: 9 June 2004 (09.06.2004)  
Title: FORMOTEROL AND CICLESONIDE COMBINATION

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Application Data Sheet;
- 2) Transmittal Letter to U.S. Designated/Elected Office (DO/EO/US) Concerning Filing under 35 U.S.C. 371;
- 3) International Publication Number: WO 2004/110460 A1, with PCT/ISA/210 (International Search Report); International Publication Date: 23 December 2004 (23.12.2004), which consists of 14 pages:
  - 1 page for the Cover Sheet,
  - 11 pages of Textual Specification,
  - 2 pages of 11 Claims,
  - 0 sheets of Drawings;
- 4) Preliminary Amendment with Appendices A and B to be Examined;
- 5) Executed Declaration and Power of Attorney;
- 6) PCT/IB/332 (Information Concerning Elected Offices Notified of their Election);
- 7) PCT/IB/304 (Notification Concerning Submission or Transmittal of Priority Document);
- 8) PCT/RO/101 (PCT Request);
- 9) Check No.: 1332 in the Amount of \$ 900.00 for Basic Filing Fee, which includes the Search and Examination Fees, as a Large Entity;
- 10) Postcard for Early Notification of the Serial Number Request.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

By: 

Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

**NATH & ASSOCIATES PLLC**  
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